



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

October 10, 1991

Honorable Tom Wells
County Attorney
Lamar County Courthouse, Third Floor
Paris, Texas 75460

OR91-492

Dear Mr. Wells:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 13612.

You state that the Lamar County District Clerk frequently receives requests from convicted felons for copies of all documents and the statement of facts in the prisoner's court file and have submitted to this office copies of two such requests. You inquire whether the clerk's office must grant these requests or whether such documents fall under the "judiciary" exception of the Open Records Act.

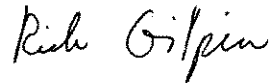
Section 2(1) of the Open Records Act defines the entities that constitute "governmental bodies" under the act. Subsection 2(1)(G) provides that "the Judiciary is not included within this definition." Consequently, records of the judiciary do not fall within the ambit of the Open Records Act. *See, e.g.,* Open Records Decision Nos. 274 (1981); 25 (1974) (records of judiciary not subject to the Open Records Act, but are subject to common law and statutory rights of inspection) (copies enclosed).

Although the requested records are subject to statutory rights of inspection, *see* Gov't Code § 51.318(b)(11); *see also* Attorney General Opinion JM-757 (1987), we conclude that the requested records are not subject to the Open Records Act. Because the authority of this office to render open records decisions is limited to determinations as to whether requested information held by "governmental bodies"

falls within the section 3(a) exceptions from disclosure, we are not authorized by the act to instruct the court as to the rights of access to its records. Consequently, we cannot further assist you in this matter.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR91-492.

Yours very truly,



Rick Gilpin
Assistant Attorney General
Opinion Committee

RG/RWP/lcd

Ref.: ID# 13612

Enclosures: Open Records Decision Nos. 274, 25

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